

Exhibit D
(NY Senate Bill S1317
Legislative History)

Senate Bill S1317

SIGNED BY GOVERNOR

2015-2016 Legislative Session

Relates to fees charged by employment agencies

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(R, C, IP, RFM) 24TH SENATE DISTRICT

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ACTIONS

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Assembly Actions - Lowercase
Senate Actions - UPPERCASE

Jul 23, 2015 SIGNED CHAP.84

Jul 14, 2015 DELIVERED TO GOVERNOR

Mar 23, 2015
Returned To Senate
Passed Assembly
Ordered To Third Reading Cal.120
Substituted For A1269

Jan 27, 2015 Referred To Consumer Affairs And Protection

Jan 26, 2015
DELIVERED TO ASSEMBLY
PASSED SENATE

Jan 12, 2015 ORDERED TO THIRD READING CAL.14

Jan 09, 2015 REFERRED TO RULES

VOTES

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S1317 (ACTIVE) - DETAILS

See Assembly Version of this Bill:

[A1269 \(/Legislation/Bills/2015/A1269/Amendment/Original\)](#)

Law Section:

General Business Law

Laws Affected:

Amd §185, Gen Bus L

S1317 (ACTIVE) - SUMMARY

Relates to fees charged by employment agencies.

S1317 (ACTIVE) - SPONSOR MEMO

BILL NUMBER: S1317

TITLE OF BILL:

An act to amend the general business law, in relation to fees charged by employment agencies

PURPOSE:

The purpose of this bill is to make clarifying amendments to Chapter 501 of the Laws of 2014.

SUMMARY OF PROVISIONS:

Section 1 of the bill clarifies Chapter 501 of the Laws of 2014 by adding language relating to the time services were rendered for certain fees charged or collected by an employment agency. In addition, it states in an action to collect a fee by an employment agency that did not possess a valid license at the time the contract was entered; the Court will make a determination whether subject contract will be deemed valid.

JUSTIFICATION:

Chapter 501 of the Laws of 2014 added important consumer protections to those persons who utilize employment agencies. This bill would clarify the provisions of such Law such that the Law may be better understood.

LEGISLATIVE HISTORY:

This is a new bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect immediately.

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S1317 (ACTIVE) - BILL TEXT

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1317

2015-2016 Regular Sessions

I N S E N A T E

January 9, 2015

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to fees charged by employment agencies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 10 of section 185 of the general business law, as added by chapter 501 of the laws of 2014, is amended to read as follows:

10. Notwithstanding any other provision of law to the contrary, no fee may be charged or collected FOR SERVICES RENDERED by an employment agency not licensed pursuant to section one hundred seventy-two of this article AT THE TIME SUCH SERVICES WERE RENDERED. [Any agreement or contract with an unlicensed employment agency shall render the agreement or contract void in any action to collect a fee, at the option of the defendant to such action.] IN AN ACTION TO COLLECT A FEE, THE COURT SHALL VOID ALL OR ANY PART OF AN AGREEMENT OR CONTRACT WITH AN EMPLOYMENT AGENCY THAT DID NOT HAVE A VALID LICENSE AT THE TIME THE CONTRACT WAS ENTERED INTO OR SERVICES WERE RENDERED; HOWEVER, SUCH CONTRACT SHALL NOT BE CONSIDERED VOID IF A COURT FINDS A GOOD FAITH EFFORT BY AN EMPLOYMENT AGENCY TO MAINTAIN ITS LICENSE DESPITE CLERICAL ERROR OR DELAY BY THE DEPARTMENT OF LABOR OR THE NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on the same date chapter 501 of the laws of 2014 took effect.

EXPLANATION--Matter in **ITALICS** (underscored) is new; matter in brackets [] is old law to be omitted.

LBD07411-01-5

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